

EXHIBIT B

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION <small>This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.</small>		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div>846-2010-55217</div> </div>	
New York State Division Of Human Rights and EEOC <small>State or local Agency, if any</small>			
Name (Indicate Mr., Ms., Mrs.) Ms. Darcy M. Black		Home Phone (Incl. Area Code) (716) 694-4423	Date of Birth 12-15-1970
Street Address City, State and ZIP Code 253 Payne Ave. Lower, North Tonawanda, NY 14120			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name BLACK ANGUS MEATS		No. Employees, Members Unknown	Phone No. (Include Area Code) (716) 691-4554
Street Address City, State and ZIP Code 2519 Niagara Falls Boulevard, Amherst, NY 14226			
Name		No. Employees, Members	Phone No. (Include Area Code)
Street Address City, State and ZIP Code			
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap;"> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> RACE</div> <div style="margin-right: 10px;"><input type="checkbox"/> COLOR</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> SEX</div> <div style="margin-right: 10px;"><input type="checkbox"/> RELIGION</div> <div style="margin-right: 10px;"><input type="checkbox"/> NATIONAL ORIGIN</div> <div style="margin-right: 10px;"><input type="checkbox"/> RETALIATION</div> <div style="margin-right: 10px;"><input type="checkbox"/> AGE</div> <div style="margin-right: 10px;"><input type="checkbox"/> DISABILITY</div> <div style="margin-right: 10px;"><input type="checkbox"/> GENETIC INFORMATION</div> <div style="margin-right: 10px;"><input checked="" type="checkbox"/> OTHER (Specify) Equal Pay</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 05-16-2004 05-25-2010 <input type="checkbox"/> CONTINUING ACTION	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I am a Caucasian female. I worked for Respondent since May 16, 2004. My last position was Wrapper-Packer-Cleaner.</p> <p>Upon information and belief, similarly situated males such as Mark, Jamie, Shaun and Keegan have been paid at a higher salary rate for doing the similar work. Some of those males were hired after I was. Another similarly situated female, Debbie Nygrich has worked for the Respondent longer than similarly situated males, yet she has also been paid at a lower salary. The Owner's daughter is the only female who has been paid at a high salary rate. I have requested a salary increase, but it has been denied. In addition, males have been subjected to better terms and conditions of employment. For example, males do not call in when they are going to be absent, they come in late or take several breaks to smoke, and they are not reprimanded, but females are not allowed to do that without being reprimanded. My time has been scrutinized.</p> <p>My coworkers are aware that my two children are multi-racial (Caucasian and Black.) Jamie (Caucasian male) made to racial comments to coworkers about Black individuals. More recently, on May 15, 2010, Jamie told me that I should know how to "break into things" given the fact that I have two "niggers."</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.		NOTARY - When necessary for State and Local Agency Requirements	
I declare under penalty of perjury that the above is true and correct.		I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT	
Date _____ Charging Party Signature _____		SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	

DEF0154

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846-2010-55217

New York State Division Of Human Rights

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (if additional paper is needed, attach extra sheet(s)):

I was very offended with his comments, so I complained to Debbie and Keegan (who are frequently in charge of the staff.) Jamie was told that his actions were inappropriate, but he did not take it seriously. He said that I have to "get over it." I could no longer face the hostile work environment, so on May 25, 2010, I was constructively discharged. I tendered resignation letter to the Owner, Robert Siebert. I made him aware that I could no longer bear with the harassment from Jamie, and that he had made a racial comment referring to my children as "niggers." The Owner accepted my two-week notice and told me "stuff like that happen all the time." When I asked him if it was okay for Jamie to refer to my children as "niggers," he said "it happens in sports and politics," so basically that I had to deal with it. After this he told me to leave right away, so I collected my belongings and I left crying.

I believe that I have been discriminated against because of my gender/ female, and due to race discrimination/ having two Black children, in violation of Title VII of the Civil Rights Act of 1964, as amended, and the Equal Pay Act.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

Date

Charging Party Signature

NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

DEF0155